

Filing # 21312238 Electronically Filed 12/05/2014 04:55:35 PM

IN THE CIRCUIT COURT OF THE NINETEENTH
JUDICIAL CIRCUIT, IN AND FOR INDIAN RIVER
COUNTY, FLORIDA.

FOR CLERK'S USE ONLY

CASE No. 2014 CA 000770

2014 CA 000770

PENNYMAC CORP.,
Plaintiff,

VS.

THOMAS M. SCHMIDT, ET AL.
DEFENDANT(S).

FINAL JUDGMENT OF FORECLOSURE

This action was heard before the Court on Plaintiff's Motion for Order to Show Cause for Entry of Final Judgment of Foreclosure on December 5, 2014. On evidence presented;

IT IS ADJUDGED that:

1. Motion Granted. There is no dispute of material facts and Plaintiff's Motion for Order to Show Cause for Entry of Final Judgment of Foreclosure is granted.
2. **Amounts Due.** Plaintiff, PennyMac Corp., c/o PennyMac Loan Services, LLC, 6101 Condor Drive Suite 200, Moorpark, CA 93021, is due:

Description	Amount
Principal due on the note secured by the mortgage foreclosed	\$94,660.63
Interest	
From November 26, 2009 to September 5, 2014	\$33,909.38
Per diem interest of \$19.73 from September 6, 2014 to December 5, 2014	\$1,795.43
Title search and Examination	\$325.00
Taxes Disbursements	\$865.16
Year - 2011	\$271.30
Year - 2012	\$288.65
Year - 2013	\$305.21
Hazard or Property Insurance Disbursements	\$10,321.09

Year - 2014	\$3,457.78
Year - 2013	\$3,341.34
Year - 2012	\$1,887.84
Year - 2011	\$1,634.13

Attorney's Fees:

(The requested attorney's fee is a flat rate fee that the firm's client has agreed to pay in this matter. Given the amount of fee requested and the labor expended, the court finds that a lodestar analysis is not necessary and that a flat fee is reasonable.)

\$2,250.00

Additional Attorney Hourly Fees:

Finding as to reasonable number of hours: 0.5	
Finding as to reasonable hourly rate: \$215.00	
per hour	\$107.50

Attorney's Fees Total: \$2,357.50

Court Cost

Filing Fee	\$1,027.50
Service of Process	\$990.00

Additional Cost

Recording Fee	\$8.00
Property Inspection(s)	\$499.50
Pre-acceleration late charges	\$632.16
Additional Cost: Prior Servicer Tax	\$1,658.33
Additional Cost: Prior Servicer Hazard insurance	\$1,447.51
Additional Cost: Prior Servicer payments	\$-1,961.76
Subtotal	<u>\$148,535.43</u>

TOTAL **\$148,535.43**

SEE ATTACHED EXHIBIT "A" - ADDING TAPE FOR VERIFICATION OF THE AMOUNTS

3. Interest

The total amount referenced in Paragraph 2 shall bear interest from this date forward at the prevailing rate.

- 4. Lien on Property.** Plaintiff holds a lien for the total sum superior to all claims or estates of defendant(s), on the following described property in Indian River County, Florida:

Lot 15, in Block N, of Paradise Park Subdivision, Unit 1, according to the Plat thereof, as recorded in Plat Book 3, at Page 72, of the Public Records of Indian River County, Florida.
Property Address: 2465 85th Avenue, Vero Beach, FL 32966

5. **Sale of Property.** If the total sum with interest at the rate described in Paragraph 2 and all costs accrue subsequent to this Judgment are not paid, the Clerk of the Court shall sell the property at public sale on January 22, 2015, to the highest bidder for cash, except as prescribed in paragraph 6, by electronic sale at www.indianriver.realforeclose.com beginning at 10 am

in accordance with section 45.031, Florida Statutes. **The public sale shall not be postponed or canceled without a court order, and shall proceed regardless of whether plaintiff, a plaintiff's representative, or plaintiff's counsel is present. All orders postponing or canceling the sale must be filed with the clerk of court no later than 5:00 p.m. two business days before the sale date. Counsel for plaintiff must be certain that the clerk has the original proof of publication of the notice of sale on file no less than three business days before the sale date. Failure to file the original proof of publication of the notice of sale will not stop the sale, however the certificate of sale will not issue until the original proof of publication of notice of sale is filed. The failure of plaintiff's counsel to properly and timely publish the notice of sale may result in sanctions against the plaintiff, plaintiff's counsel individually, and the law firm representing the plaintiff.** If the original proof of publication of the notice of sale is not filed with the clerk within ten calendar days after the sale, an order will be entered directing the plaintiff to show cause why the sale should not be vacated and the case dismissed with or without prejudice. The fact that an attorney has a high volume practice will not be a showing of good cause.

Any electronic sale by the clerk shall be in accordance with the written administrative policy for electronic sales published by the clerk at the official website for the clerk and posted in the public areas of the clerk's offices.

6. **Costs.** Plaintiff shall advance all subsequent required costs of this action and shall be reimbursed for them by the Clerk if Plaintiff is not the purchaser of the property for sale, provided, however, that the purchaser of the property for sale shall be responsible for the documentary stamps payable on the certificate of title. If Plaintiff is the purchaser, the Clerk shall credit Plaintiff's bid with the

total sum with interest and costs accruing subsequent to this judgment, or such part of it, as is necessary to pay the bid in full. The Clerk shall receive the service charge imposed in Section 45.031, Florida Statutes.

7. **Distribution of Proceeds.** On filing the Certificate of Title, the Clerk shall distribute the proceeds of the sale, so far as they are sufficient, by paying: first, all of the Plaintiff's costs; second, documentary stamps affixed to the Certificate, third, Plaintiff's attorneys' fees; fourth, the total sum due to Plaintiff, less the items paid, plus interest at the rate prescribed in Paragraph 3 from this date to the date of the sale; and by retaining any remaining amount pending the further order of this court.
8. **Right of Redemption.** On filing the Certificate of Sale, Defendant(s) and all persons claiming under or against defendant(s) since the filing of the notice of lis pendens shall be foreclosed of all estate or claim in the property, except as to claims or rights under chapter 718 or chapter 720, Florida Statutes, if any.
9. **Right of Possession.** Upon the filing of the certificate of title, the person named on the certificate of title shall be let into possession of the property, subject to the provisions of the "Protecting Tenant At Foreclosure Act of 2009".
10. **Jurisdiction Retained.** Jurisdiction of this action is retained to enter further orders that are proper including, without limitation, a deficiency judgment.
11. **Jurisdiction of this action is retained to enter further orders to supplement the complaint or re-foreclose to capture any missed or omitted liens.**
12. **The clerk shall further credit plaintiff's bid with any reasonable advances made by the Plaintiff subsequent to this judgment, or such part of it, as is necessary to pay the bid in full.**
13. **If the United States of America is a defendant, it shall have the right of redemption pursuant to 28 U.S.C. Section 2410 (c), from the date of the foreclosure sale.**

14. The Court finds that Plaintiff complied with the condition precedent of providing notice prior to acceleration of the loan, and prior to the filing of the foreclosure action, pursuant to the terms of the Note and Mortgage.

15. On or before the date of sale, Plaintiff may assign the judgment and/or the bid by filing an Assignment of Judgment and/or Bid without further order of this Court.

16. On or before the date of sale, Plaintiff may file an Affidavit of Additional Costs and Interest without further order of this Court.

IF THIS PROPERTY IS SOLD AT PUBLIC AUCTION, THERE MAY BE ADDITIONAL MONEY FROM THE SALE AFTER PAYMENT OF PERSONS WHO ARE ENTITLED TO BE PAID FROM THE SALE PROCEEDS PURSUANT TO THIS FINAL JUDGMENT.

IF YOU ARE A SUBORDINATE LIENHOLDER CLAIMING A RIGHT TO FUNDS REMAINING AFTER THE SALE, YOU MUST FILE A CLAIM WITH THE CLERK NO LATER THAN SIXTY (60) DAYS AFTER THE SALE. IF YOU FAIL TO FILE A CLAIM, YOU WILL NOT BE ENTITLED TO ANY REMAINING FUNDS.

IF YOU ARE THE PROPERTY OWNER, YOU MAY CLAIM THESE FUNDS YOURSELF. YOU ARE NOT REQUIRED TO HAVE A LAWYER OR ANY OTHER REPRESENTATION AND YOU DO NOT HAVE TO ASSIGN YOUR RIGHTS TO ANYONE ELSE IN ORDER FOR YOU TO CLAIM ANY MONEY TO WHICH YOU ARE ENTITLED. PLEASE CHECK WITH THE CLERK OF THE COURT AT 2000 16TH AVE, VERO BEACH, FL 32960, 772.226.3127 Karen S WITHIN TEN (10) DAYS AFTER THE SALE TO SEE IF THERE IS ADDITIONAL MONEY FROM THE FORECLOSURE SALE THAT THE CLERK HAS IN THE REGISTRY OF THE COURT.

IF YOU DECIDE TO SELL YOUR HOME OR HIRE SOMEONE TO HELP YOU CLAIM THE ADDITIONAL MONEY, YOU SHOULD READ VERY CAREFULLY ALL PAPERS YOU ARE REQUIRED TO SIGN, ASK SOMEONE ELSE, PREFERABLY AN ATTORNEY WHO IS NOT RELATED TO THE PERSON OFFERING TO HELP YOU, TO MAKE SURE THAT YOU UNDERSTAND WHAT YOU ARE SIGNING AND THAT YOU ARE NOT TRANSFERRING YOUR PROPERTY OR THE EQUITY IN YOUR PROPERTY WITHOUT THE PROPER

INFORMATION. IF YOU CANNOT AFFORD TO PAY AN ATTORNEY, YOU MAY CONTACT ,
FLORIDA RURAL LEGAL SERVICES-ST. LUCIE, 200 SOUTH INDIAN RIVER DR., SUITE 101,
FT. PIERCE, FL 34950, 772.466.4766, TO SEE IF YOU QUALIFY FINANCIALLY FOR THEIR
SERVICES. IF THEY CANNOT ASSIST YOU, THEY MAY BE ABLE TO REFER YOU TO A
LOCAL BAR REFERRAL AGENCY OR SUGGEST OTHER OPTIONS. IF YOU CHOOSE TO
CONTACT FLORIDA RURAL LEGAL SERVICES-ST. LUCIE FOR ASSISTANCE, YOU
SHOULD DO SO AS SOON AS POSSIBLE AFTER THE RECEIPT OF THIS NOTICE.

ORDERED on

December 5, 2014

Circuit Judge

Copies furnished to all parties listed below.

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Clerk of Court of the Nineteenth Judicial Circuit, Indian River County
2000 16th Avenue
Vero Beach, FL 32960

EXHIBIT A

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